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June 13, 2002

The Hon. Zev Yaroslavsky, Chairman  
Supervisor, Third District  
821 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

**Re: BUDGET REQUEST FOR 2002-2003**

Dear Chairman Yaroslavsky:

Since I assumed office in December, 2000, I have been dealing with a significantly flawed budget. This situation has been repeatedly documented in previous communications to the Board of Supervisors.

I inherited a budget that retained staffing in positions long after certain grant revenue had expired. I took steps to vacate these positions. More recently, due to complicating events in local and state budgets, I recommended deletion of curtailed program positions to the Chief Administrative Office in two annual budgets (2001-2002 and 2002-2003).

Concurrent with a thorough review of revenue-offset programs, I have vigorously strived to operate within budget despite meeting increased demands in specialized prosecution areas, and while under the enormous burden of the 13.4% salary savings factor. So far, I have been successful. Unfortunately, this success is not considered "news", so you won't read of it in the daily newspapers.

Quietly and effectively my staff and I have labored, even under the County's hard freeze, to maintain the most effective prosecutorial office in the nation.

Nevertheless, this Department has been forced to downsize due to declining revenues and the incredibly unrealistic and burdensome salary savings which requires a vacancy factor of nearly 130 positions at all times.

Since we are not able to understaff viable revenue-offset grant programs, there is little flexibility except to diminish line operations throughout the County and certain specialized divisions, such as Sex Crimes, Environmental Crimes, and certain components of Training and Consumer Protection.

That is why I appealed to you at the May 21, 2002 Board hearing for assistance to meet current needs as well as the public's legitimate demands for accountability in government and law enforcement.

Due to the curtailments of 2001-2002 and the anticipated financial hardships of 2002-2003, this Department has been unable to hire entry-level personnel since September 5, 2000 or to promote deserving qualified and experienced prosecutors to higher grades.

In addition, there are currently 99 District Attorney employees on Family Medical Leave Act requests, which must be honored by law. Of those 99 employees, 61 are on long-term leave. 49 of those on leave are deputy district attorneys who are unavailable to staff courtrooms. It should be noted that while the individuals requesting leaves may vary, the total number of employees on leave remains constant. Thus, this Department is continuously understaffed by approximately 100 employees, half of whom are lawyers. When I assumed office, there were 1046 deputy district attorneys assigned to this Department. Today, there are 1003 less the 49 prosecutors on leave of absence. That is woefully inadequate to operate this office and staff the 181 courtrooms for which this Department is responsible day in and day out. Moreover, the prosecutors lost through attrition over the past four years have been predominately highly experienced courtroom prosecutors.

Without significant assistance from the Board of Supervisors in the 2002-2003 budget, we will predictably experience the further loss of approximately 50 experienced attorneys plus numerous investigative and other key personnel without hope of replacement.

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As noted earlier in this correspondence, line operations in the Branch and Area courts have been and remain most vulnerable to the loss of attorney staffing.

The following table illustrates the staffing of prosecutors in Branch and Area courts and in the Bureau of Central Operations:

	<u>January, 2001</u>	<u>June, 2002</u>
Central Operations 42 courts	132.5 Deputy DA's	116.5 Deputy DA's
Branch & Area, Region I 70 courts	237.5 Deputy DA's	218 Deputy DA's
Branch & Area, Region II 69 courts	202.5 Deputy DA's	187 Deputy DA's

Based on the CAO's recommended budget for 2002-2003, we are confronting a significant loss of resources and services in the coming year. A number of vital operations will be curtailed or eliminated. Thus, the Department will be forced to rely on attrition during the coming year to absorb the further reduction of funded positions.

Our best estimate at this time is that the Department must reduce by attrition 107 personnel during Fiscal Year 2002-2003, including 50 additional attorneys. That is a very significant and serious loss of capability to our organization, especially in light of the salary savings requirement of 130 permanent vacancies.

The effects will be dramatic and noticed in courtrooms countywide. The negative consequences of reduced staffing will become even more evident in all communities.

Please do not let this trend continue to the detriment of the criminal justice system in Los Angeles County. Your assistance and consideration of my public appeal on May 21, 2002 is urgently requested.

Very truly yours,



STEVE COOLEY  
District Attorney

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c: David E. Janssen, CAO  
Each Supervisor